

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
**065339/0001**

Total Pages in this Submission

**TO THE COMMISSIONER FOR PATENTS**

Mail Stop Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**DRUG DELIVERY DEVICE**

and invented by:

Adil Jamal Akhtar, M.D.  
 Syed Abid Mahmood, M.D.

U.S. PTO  
 19270 10/783727

022004

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1.  Filing fee as calculated and transmitted as described below
  
2.  Specification having 45 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (*if applicable*)
  - c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
  - d.  Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (*if filed*)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure

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**Application Elements (Continued)**

3.  Drawing(s) *(when necessary as prescribed by 35 USC 113)*
  - a.  Formal Number of Sheets \_\_\_\_\_ 7
  - b.  Informal Number of Sheets \_\_\_\_\_
4.  Oath or Declaration
  - a.  Newly executed *(original or copy)*  Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
  - c.  With Power of Attorney  Without Power of Attorney
  - d.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7.  Application Data Sheet (See 37 CFR 1.76)
8.  Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
  - a.  Computer Readable Form (CFR)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(B) Statement (when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16.  Certificate of Mailing  
 First Class  Express Mail *(Specify Label No.):* EL 770641053 US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

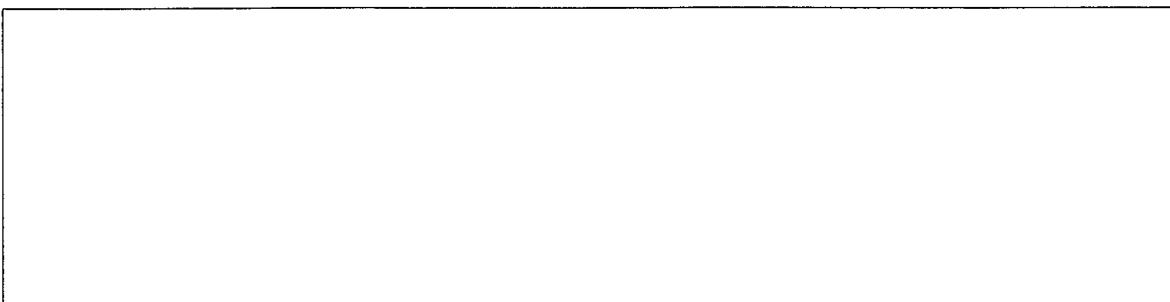
*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
065339/0001

Total Pages in this Submission

**Accompanying Application Parts (Continued)**

17.  Applicant claims small entity status. See 37 CFR 1.27.  
 (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_

18.  Additional Enclosures (please identify below):  


**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

19.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

# UTILITY PATENT APPLICATION TRANSMITTAL

## (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
065339/0001

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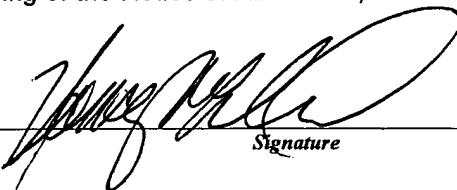
### Fee Calculation and Transmittal

#### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	87	- 20 =	67	x \$9.00	\$603.00
Indep. Claims	6	- 3 =	3	x \$43.00	\$129.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				<b>BASIC FEE</b>	<b>\$385.00</b>
OTHER FEE (specify purpose)					\$0.00
				<b>TOTAL FILING FEE</b>	<b>\$1,117.00</b>

- A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- The Director is hereby authorized to charge and credit Deposit Account No. 04-2223 as described below.
- Charge the amount of \$1,117.00 as filing fee.
  - Credit any overpayment.
  - Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: February 20, 2004



Signature

Nancy R. Gamburd, Esq.  
Dykema Gossett PLLC  
55 East Monroe Street, Suite 3050  
Chicago, Illinois 60603-5709  
Reg. No. 38,147

CC:

17231  
022004

U.S. PTO

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		<b>Attorney Docket No.</b>	065339/0001
		<b>First Inventor</b>	Adil Jamal Akhtar, M.D. and Syed Abid Mahmood, M.D.
		<b>Title</b>	Drug Delivery Device
		<b>Express Mail Label No.</b>	EL 770641053 US

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>		<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P. O. Box 1450 Alexandria VA 22313-1450	
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1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)		
2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission <i>(If applicable, all necessary)</i>		
3. <input checked="" type="checkbox"/> Specification <span style="float: right;">[Total Pages 45]</span> <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings <i>(if filed)</i></li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul>	a. <input type="checkbox"/> Computer Readable Form (CRF)		
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">[Total Sheets 7]</span>	b. <input type="checkbox"/> Specification Sequence Listing on: <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> Paper</li> </ul>		
5. Oath or Declaration <span style="float: right;">[Total Pages 2]</span> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul> </li> </ul>	c. <input type="checkbox"/> Statements verifying identity of above copies		
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))		
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input checked="" type="checkbox"/> Power of Attorney		
<input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. _____	11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>		
<input type="checkbox"/> Prior application Information: Examiner _____	12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations		
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
<b>19. CORRESPONDENCE ADDRESS</b>			
<input checked="" type="checkbox"/> Customer Number: <span style="border: 1px solid black; padding: 2px;">38,939</span>		or <input type="checkbox"/> Correspondence address below	
Name	Nancy R. Gamburd		
	Dykema Gossett PLLC		
Address	55 East Monroe Street, Suite 3050		
City	Chicago	State	Illinois
Country	USA	Telephone	(312) 551-4925
Zip Code	60603		Fax (312) 551-4919

Name (Print/Type)	Nancy R. Gamburd		Registration No. (Attorney/Agent)	38,147
Signature			Date	February 20, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT APPLICATION

INVENTORS: Adil Jamal Akhtar, M.D.  
Syed Abid Mahmood, M.D.

DOCKET: 065339/0001

TITLE: Drug Delivery Device

Mail Stop Patent Application  
COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313-1450

SIR:

Enclosed are the following papers relating to the above-named application for patent:

Utility Application for Patent (Duplicate)  
Utility Patent Application Transmittal  
Specification, Claims and Abstract (45 pages)  
7 sheets of formal drawings  
Application Data Sheet (2 pages)  
Executed Declaration and Power of Attorney  
PTO Postcard Receipt

CLAIMS AS FILED

The fee has been calculated as shown below:

Small Entity					
FOR	No. Filed	No. Allowed	No. Extra	Rate	Fee
Basic Fee					\$385.00
Total Claims	87	- 20 =	67	x \$9.00	\$603.00
Independent Claims	6	- 3 =	3	x \$43.00	\$129.00
Multiple Dep. Claims					\$
Other Fees				\$	\$
			TOTAL		\$1,117.00

Please file the application and charge Dykema Gossett's Deposit Account No. 04-2223 the amount of \$1,117.00 to cover the filing fee. Duplicate copies of this letter are enclosed. In the event of non-payment or improper payment of required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 04-2223 as may be required to correct the error.

Please address all correspondence to:

Nancy R. Gamburd  
Dykema Gossett PLLC  
55 East Monroe Street, Suite 3050  
Chicago, Illinois 60603-5709

Telephone calls should be made to me at (312) 551-4925.  
Faxes should be transmitted to me at (312) 551-4919.

Applicants are a small entity under applicable regulations.

Respectfully,



Nancy R. Gamburd  
Registration No. 38,147  
Attorney for Applicants

Date: February 20, 2004

CHI01\58603.1  
ID\NRG